

COUNCIL CHAMBERS CITY COUNCIL
CITY HALL - CITY OF LODI

APRIL 19, 1950

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, April 19, 1950; Councilmen Bull, Haskell, Preszler, Tolliver and Rinn present; none absent.

The first order of business being that of reorganization of the City Council, as deferred from the meeting of April 10th, Mayor Rinn called City Clerk Blakely to the chair. The City Clerk then asked for nominations for Mayor. Mr. Rinn nominated Councilman Tolliver, stating that his six years of service in the City Council and on the City Planning Commission merited the honor. Mr. Tolliver, in accepting the nomination, stated, that, if the Council determined his election, the term of office be considered as for one year only. Another call for nominations was met with silence. Councilman Haskell, Rinn second, moved that nominations be closed. Motion carried and on a vote being had thereon, Mr. Tolliver was elected Mayor by unanimous vote. Mr. Tolliver then presided over this meeting until adjournment, after thanking the members for their confidence in him.

Councilman Haskell requested that a formal resolution be prepared for submission at the next Council meeting stating that it was a Council policy that the term of office of the Mayor be for one year from April to April, nothing therein to be considered as preventing the election of a Councilman as Mayor for more than one term. So ordered on motion of Mr. Haskell, Mr. Rinn second. The Council then proceeded with the regular order of business.

Minutes of the meeting of April 5, 1950, were approved as written and approval of those of the April 18th meeting deferred to May 3rd as the same had not yet been prepared for submission.

REPORT OF THE CITY MANAGER:

FAIRMONT
PARK
DRAINAGE

City Manager Weller presented a statement of a storm drain problem encountered in Elm Street in "Fairmont Park". The subdivider of this tract can drain his lots eastward at a less cost than if he splits the drainage so that part will go westward to Ham Lane. If the drains run east to Crescent Avenue, they will eventually be overloaded with drainage from Cainard Subdivision, Handel Tract and part of Crescent Avenue Subdivision. West-bound drains would be larger and and could accommodate additional water. The difference in cost between the two drainage methods would be about \$1,100.00 out of a total cost of \$3,300.00. The City Manager recommended following the western drainage plan. Councilman Rinn, Bull second, moved that the City pay the difference in cost entailed by draining as much of the land in this subdivision to Ham Lane as might be practicable. Motion carried.

TAXI CAB
STANDS

In the matter of the transfer of the taxi cab permit of H. E. Mahaffey, doing business as City Cab Company, to E. E. Dancer and Cecil Linder, conditionally approved April 5th, Mr. Weller reported that investigation had brought no unfavorable report on the character of the transferees, thus removing the condition annexed to approval of this transfer. Attorney Robert J. Mertz, for Dancer and Linder, applied for a new cab stand on West Pine Street as the new owners were transferring their business to Locust and Sacramento Street, vacating the stands formerly held by Mahaffey at 117 West Pine Street and at Elm and Sacramento Street. On motion of Councilman Haskell, Preszler second, this application was set for hearing May 3rd and notice published as required by ordinance.

COUNCIL CHAMBERS CITY COUNCIL
CITY HALL - CITY OF LODI

STIPULATION
IN
CITY VS. P.G.
& E.

The City Attorney having approved the form of stipulation to a modification of the City's judgment against Pacific Gas and Electric Company, whereby this Company would be allowed additional storage of waters of the Mokelumne River and its tributaries in their upper reaches, Mayor Tolliver signed the approved agreement. (cf. minutes of April 5, 1950)

ARMORY SALE

On motion of Councilman Bull, Rinn second, the City Manager was authorized to proceed with sale of the Lodi Armory to the State of California, the lands to be included being those accessory to the Armory south of the fence line of the Softball Park.

C.V.D.-L.C.C.
LIVINGSTON
APRIL 27

Notice from the Mayor of Livingston that the next quarterly meeting of the Central Valley Division of the League of California Cities would be held in that City on April 27th was read. Eight of those present signified their intention of attending, details to be arranged later.

PENSION
ORDINANCE
AMENDMENTS

Mr. Waller transmitted suggested amendments to the Retirement Plan and Pension Ordinance. He suggested May 3rd as the date for the adoption of a resolution of intention by the Council, stating that the Council intended to adopt the ordinance as amended, an election of eligible employees to be held in the meantime.

ST. PETER'S
LOADING ZONE

The request of St. Peter's Lutheran Church for a passenger bus loading zone on West Locust Street west of Church Street was laid over to May 3rd to allow investigation of necessity.

S. P. CO.
WALNUT &
OAK STREET
CROSSINGS

Southern Pacific Company's application (No. 923118/349), dated March 30th, for permission to construct, reconstruct, maintain and operate a spur track across Walnut Street and to relocate and re-arrange an existing track across Oak Street was not approved in that the applicant Company has withheld co-operative effort in the solving of the long pending Tokay Street crossing and also in the matter of the improvement of the passenger station building and grounds. Application withheld approval on motion of Councilman Bull, Haskell second, all Councilmen concurring.

STATE PAROLE
BOARD
MEETING

City Manager Waller read an invitation from the State Parole Board to hearings to be had at San Quentin prison early in May, the exact date to be determined later. Several Councilmen expressed desire to attend this hearing with such City officers as are concerned with parole matters.

PROPOSED
LEASE
PARKING LOT
WEST PINE
STREET

Mr. Waller outlined the possibility of the City acquiring a lease interest in Lot 7 and the Westerly 30 feet of Lot 6, Block 10, Mokelumne, 113-119 West Pine Street, lately occupied by City Cab Company and Lodi Transit System and owned by Farmers and Merchants Bank of Lodi, for off-street parking. This property faces 110 feet on Pine Street with a depth of 170 feet and is excavated to about six feet below street level. The Street Superintendent's estimate of the cost of preparing the lot for parking is \$920.00 and the rental would be about \$150.00 per month. Metal sheds on the rear of the lot can be acquired for \$2,000.00. These are suitable for removal for coverage of City's equipment. Mr. Waller

SHEDS

COUNCIL CHAMBERS CITY COUNCIL
CITY HALL - CITY OF LODI

was authorized, motion of Councilman Bull, Preszler, second, to negotiate for a lease on the property at the best terms acceptable to the City. Councilman Bull, moved, Councilman Haskell second, that the City purchase the metal sheds for \$2,000; motion carried.

OFF-STREET
PARKING

In the discussion relating to the above lease and purchase, the determination of the obligations of the City and of the down-town merchants and property owners in providing off-street parking and the allocation of parking meter moneys to purchase or lease of facilities therefor brought the further motion made by Councilman Bull, Preszler second, that the Mayor appoint a committee from the City Council to confer with a like businessmen's committee and a sub-committee of the Citizens' Advisory Committee on these problems.

RESOLUTION
NO. 1522
PURCHASE OF
H. PRESZLER
LOTS

In the matter of the purchase of Lots 50 and 51, Lodi Barnhart Tract (cf. minutes of April 5), the sum of \$40,103.50, being the agreed purchase price plus one-half title insurance fees, was appropriated and ordered paid into escrow with Stockton Guaranty Title Company by the adoption of Resolution No. 1522, introduced by Councilman Bull, Haskell second, all Councilmen voting in favor of the passage of this resolution.

ORDINANCE
NO. 415
MEHRER BUS
FRANCHISE
INTRODUCED

ORDINANCE NO. 415. "GRANTING TO MEHRER & SON, A CO-PARTNERSHIP, A FRANCHISE TO ESTABLISH, AND, FOR A PERIOD COMMENCING WITH THE EFFECTIVE DATE OF THIS ORDINANCE AND CONTINUING FOR A PERIOD OF TEN (10) CALENDAR YEARS THEREAFTER, TO CONDUCT, MAINTAIN AND OPERATE ON REGULAR SCHEDULES, INTRA-MUNICIPAL MOTOR BUS LINES FOR THE TRANSPORTATION OF PASSENGERS AND THEIR HAND BAGGAGE FOR HERE, WHOLLY WITHIN THE CITY OF LODI, CALIFORNIA, OVER, UPON AND ALONG THE STREETS, HIGHWAYS, ALLEYS, BOULEVARDS, AVENUES, ROADS AND OTHER PUBLIC PLACES HEREINAFTER PRESCRIBED AND FIXING THE COMPENSATION AND SPECIFYING THE TERMS AND CONDITIONS OF SAID FRANCHISE" was introduced on motion of Councilman Rinn, Haskell second, after the same was read by the City Manager and its salient provisions explained by him. Motion carried and Ordinance No. 415 ordered laid over for the statutory period of not less than five days.

ORDINANCE
NO. 411
ANNEXATION
RALMAR
ADDITION
PASSED

ORDINANCE NO. 411, "AN ORDINANCE APPROVING THE ANNEXATION OF "RALMAR ADDITION" TO THE CITY OF LODI, CALIFORNIA" having been introduced April 5, 1950, was brought up for passage on motion of Councilman Bull, Haskell second, second reading omitted, after reading by title, by unanimous consent, and then finally passed, adopted and ordered to print by the following vote:

AYES: Councilmen, Bull, Haskell, Preszler, Rinn and Tolliver

NOES: Councilmen, None. ABSENT: None.

Mayor Tolliver then approved and signed Ordinance No. 411.

ORDINANCE
NO. 412
ALLEY
VACATION
BURR'S
ADDITION
PASSED

ORDINANCE NO. 412. "AN ORDER DIRECTING THE VACATION OF THE PUBLIC ALLEY IN BLOCK L OF "BURR'S ADDITION TO LODI, SUBDIVISION OF LOT 2" having been introduced April 5, 1950, was brought up for passage on motion of Councilman Rinn, Haskell second, second reading, after reading by title, omitted by unanimous consent, and then finally passed, adopted and ordered to print by the following vote:

AYES: Councilmen, Rinn, Haskell, Bull, Preszler and Tolliver

COUNCIL CHAMBERS CITY COUNCIL
CITY HALL - CITY OF LODI

NOES: Councilmen, None. ABSENT: None.
Mayor Tolliver then approved and signed Ordinance No. 412.

ORDINANCE NO. 413 "ORDER VACATING THE PUBLIC UTILITY EASEMENT IN LOT 13 OF 'FLORA STREET TRACT'" having been introduced April 5, 1950, was brought up for passage on motion of Councilman Bull, Rinn second, second reading, after reading by title, omitted by unanimous consent, and then passed, adopted and ordered to print by the following vote:

AYES: Councilmen Bull, Rinn, Haskell, Preszler and Tolliver.

NOES: Councilmen, None. ABSENT: None.
Mayor Tolliver then approved and signed Ordinance No. 413.

ORDINANCE NO. 414 "AMENDING THE ZONE DISTRICT MAP OF THE CITY OF LODI BY ALTERING THE ZONE BOUNDARY LINES DISPLAYED THEREON AND REZONING AND RECLASSIFYING A PORTION OF LOT 14, MAP NO. 1, LIVE OAK COLONY, TO BE IN THE INDUSTRIAL DISTRICT ZONE" having been introduced April 5, 1950, was brought up for passage on motion of Councilman Haskell, Bull second, second reading omitted, after reading by title, and then finally passed, adopted and ordered to print by the following vote:

AYES: Councilmen Haskell, Bull, Preszler, Rinn and Tolliver.

NOES: Councilmen, None. ABSENT: None.
Mayor Tolliver then approved and signed Ordinance No. 414.

FENCE AND HEDGE REGULATION PROPOSED
The suggestion of the City Planning Commission, contained in its report to the City Council of its April 3rd meeting, that provision be made for the limitation of fences and hedges was approved in part and the Commission requested to submit a tentative draft of an ordinance regulating the erection and planting of these improvements.

O. WRIGHT USE PERMIT APPROVED
On favorable report of the City Planning Commission from its April 17th meeting, a use permit was approved to be granted Orville Wright to conduct a rest home for the aged at 415 North School Street, motion Councilman Rinn, Haskell second.

Reports of hearings at which no objections were raised were received from the City Planning Commission and the action taken in each instance was as stated hereafter:

REZONING ALONG CALIFORNIA AND LOCKEFORD STS.
On the rezoning to Commercial Zone of a hundred-foot wide strip of land along California Street, Lockeford Street to S. P. Railroad. Set for hearing May 3, 1950. Motion Haskell, Preszler second.

REZONING BARNERT SUB.
Change from Commercial Zoning to One and Two Family Residence District Zone of Lots 69, 70, 87, 88, 105 and 122 of Barnert Subdivision, also set for public hearing May 3, 1950 on motion of Councilman Rinn, Bull second.

CLAIMS
Claims in the amount of \$18,475.23 as approved by the City Manager were allowed and ordered paid on motion of Councilman Haskell, Bull second.

COUNCIL CHAMBERS CITY COUNCIL
CITY HALL - CITY OF LODI

HIGHWAY
DRAINAGE
AGREEMENT

A tentative agreement, subject to approval by the Board of Public Works, Division of Highways, for the expenditure of the remaining unexpended balance (\$27,392.27) of the former "1/4 Gas Tax for State Highways" credited to the City, in a cooperative program for street and highway drainage was approved, ordered signed by the Mayor and transmitted to the Division of Highways on motion of Councilman Bull, Rinn second.

DON WOOD
PUMP SITE
ACQUIRED

A contract with Don B. Wood for a deed and easement for a new pump site in Section 10, T3N, R6E, South of Sargent Road and one-half mile West of Ham Lane, in consideration of the payment by the City of \$750.00 and the allowance of use of "surplus" water under similar conditions as in the C. R. Van Buskirk agreement near Well 10, was approved for execution by the Mayor on motion of Councilman Rinn, Bull second.

GRIFFIN &
MILLER
LUMBER YARD
NUISANCES

Councilman Bull reported that investigations made of the nuisance maintained by Griffin and Miller on the south end of the eighty-foot strip in Lot 14, Live Oak Colony, between Pine Street and Victor Road, made it necessary that this firm be required to move all piled lumber to at least 140 feet north of Pine Street, dust proof the surface of the strip and remove two tree stubs on Pine Street to enable lumber trucks to turn without trespassing on private property. Report accepted and so ordered.

MAIL BOX FOR
MOTORISTS -
12-MINUTE
PARKING IN
FRONT OF
POST OFFICE

Councilman Bull's suggested actions for the clearing of space necessary to allow vehicles to approach the convenience U. S. mail box on South School Street near Walnut Street met with the following action taken on his motion, seconded by Councilman Freszler: (1) That the yellow markings be replaced with red (2) That the four parking spaces in front of the post office be limited to 12-minute parking and meters of this interval be located (3) That efforts be made to move this mail box to the alley in the rear of the post office building or at some location where the driver of a vehicle could more readily deposit mail therein.

At 11:13 o'clock p.m. the City Council adjourned on motion of Councilman Rinn.

Attest: 
J. F. BLAKELY, City Clerk